

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ruben et al.

Docket No.: PZ029P1D3

Application No.: Not Yet Assigned

Confirmation No.:

Filed: Concurrently Herewith

Art Unit: N/A

For: 94 Human Secreted Proteins

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney for Applicants hereby directs the Examiner's attention to references AA-BO listed on the attached Form PTO/SB/08.

Copies of references AA, AF-AG, AP-BM, and BO were submitted by Applicants or cited by the Examiner in connection with U.S. Application No. 09/461,325, filed on December 14, 1999, and copies of references AB-AE, AH-AO, and BN were submitted by Applicants or cited by the Examiner in connection with U.S. Application No. 10/115,123, filed April 4, 2002, to both of which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the file of U.S. Application No. 09/461,325 and U.S. Application No. 10/115,123 for copies of references AA-BO.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application, and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such

references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. Accordingly, no fee is believed due. However, should the Patent Office determine otherwise, please charge the required fee to our Deposit Account No. 08-3425.

Dated: March 16, 2004

Respectfully submitted,

By 

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Registration No.: 46,903

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Sheet		1	of	3	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">Not Yet Assigned</td> </tr> <tr> <td>Filing Date</td> <td>Concurrently Herewith</td> </tr> <tr> <td>First Named Inventor</td> <td>Ruben et al.</td> </tr> <tr> <td>Group Art Unit</td> <td>N/A</td> </tr> <tr> <td>Examiner Name</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>PZ029P1D3</td> </tr> </table>	Application Number	Not Yet Assigned	Filing Date	Concurrently Herewith	First Named Inventor	Ruben et al.	Group Art Unit	N/A	Examiner Name	Not Yet Assigned	Attorney Docket Number	PZ029P1D3
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U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	5,534,409		Groner et al.	07/09/1996	
	AB	5,250,414		Schwab et al.	10/05/1993	
	AC	5,684,133		Schwab et al.	11/04/1997	
	AD	6,103,232		Schwab et al.	08/15/2000	
	AE	5,011,912		Hopp et al.	04/30/1991	

FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	AF	WO	99/66041		Human Genome Sciences, Inc.	12/23/1999	
	AG	WO	01/51520	A2	Yale University	07/19/2001	
	AH	WO	99/46281	A2	Genentech, Inc.	09/16/1999	
	AI	WO	00/32221	A2	Genentech, Inc.	06/08/2000	
	AJ	WO	00/37638	A2	Genentech, Inc.	06/29/2000	
	AK	WO	00/53758	A2	Genentech, Inc.	09/14/2000	
	AL	WO	00/53756	A2	Genentech, Inc.	09/14/2000	
	AM	WO	00/70050	A1	Genentech, Inc.	11/23/2000	
	AN	WO	00/73452	A2	Genentech, Inc.	12/07/2000	
	AO	WO	01/40466	A2	Genentech, Inc.	06/07/2001	

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² Unique citation designation number. ³ See attached Kinds of U.S. Patent Documents. ⁴ Enter Office that issued the document, by the two-letter code (WIP Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

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OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS			
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	AP	Geneseq Accession No. AAY86244, "Human secreted protein HCEJQ69, SEQ ID NO:159." (12/23/1999)	
	AQ	Geneseq Accession No. AAY41745, "Human PRO526 protein sequence." (09/16/1999)	
	AR	Geneseq Accession No. AAB44301, "Human PRO526 (UNQ330) protein sequence SEQ ID NO:400." (09/14/2000)	
	AS	Geneseq Accession No. AAB33426, "Human PRO526 protein UNQ330 SEQ ID NO:62." (09/14/2000)	
	AT	Geneseq Accession No. AAB24410, "Human PRO526 protein sequence SEQ ID NO:127." (06/08/2000)	
	AU	Geneseq Accession No. AAY95345, "Human PRO526 antitumour protein." (06/29/2000)	
	AV	Geneseq Accession No. AAB50908, "Human PRO526 protein." (12/07/2000)	
	AW	Geneseq Accession No. AAB49891, "Human PRO526 protein sequence." (11/23/2000)	
	AX	Genbank Accession No. AAG53612, "Nogo receptor [Homo sapiens]." (01/24/2001)	
	AY	Genbank Accession No. AAG53611, "Nogo receptor [Mus musculus]." (01/24/2001)	
	AZ	Genbank Accession No. AX047642, "Sequence 1 from Patent WO0070050." (12/15/2000)	
	BA	Genbank Accession No. AA452195, "zx30d02.r1 Soares_total_fetus_Nb2HF8_9w Homo sapiens cDNA clone IMAGE:787971 5' similar to SW:ALS_HUMAN P35858 insulin-like growth factor binding protein complex acid labile chain precursor, mRNA sequence." (06/05/1997)	
	BB	Genbank Accession No. AA436362, "zv32e09.s1 Soares ovary tumor NbHOT Homo sapiens cDNA clone IMAGE:755368 3', mRNA sequence." (05/30/1997)	
	BC	Genbank Accession No. H08678, "yl93d10.s1 Soares infant brain 1NIB Homo sapiens cDNA clone IMAGE:46062 3', mRNA sequence." (06/23/1995)	
	BD	Genbank Accession No. AA428418, "zw32d07.r1 Soares ovary tumor NbHOT Homo sapiens cDNA clone IMAGE:770989 5', mRNA sequence." (10/16/1997)	
	BE	Genbank Accession No. AA427404, "zw32d07.s1 Soares ovary tumor NbHOT Homo sapiens cDNA clone IMAGE:770989 3', mRNA sequence." (10/16/1997)	
	BF	Genbank Accession No. AA410412, "zv32g09.r1 Soares ovary tumor NbHOT Homo sapiens cDNA clone IMAGE:755392 5', mRNA sequence." (05/18/1997)	
	BG	Genbank Accession No. AA410413, "zv32g09.s1 Soares ovary tumor NbHOT Homo sapiens cDNA clone IMAGE:755392 3', mRNA sequence." (05/18/1997)	
	BH	Genbank Accession No. H08677, "yl93d10.r1 Soares infant brain 1NIB Homo sapiens cDNA clone IMAGE:46062 5' similar to SP:CBP8_HUMAN P22792 carboxypeptidase N 83 KD chain, mRNA sequence." (06/23/1995)	

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OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS			
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	BI	FOURNIER ET AL., "Identification of a receptor mediating Nogo-66 inhibition of axonal regeneration", Nature, 409(6818):341-346 (2001)	
	BJ	GRANDPRE et al., "Identification of the Nogo inhibitor of axon regeneration as a Reticulon protein", Nature, 403(6768):439-444 (2000)	
	BK	GOLDBERG ET AL., "Nogo in nerve regeneration", Nature, 403(6768):369-370 (2000)	
	BL	JACOBS ET AL., "A genetic selection for isolating cDNAs encoding secreted proteins", Gene, 198:289-296 (1997)	
	BM	BRITTIS, ET AL., "Nogo Domains and a Nogo Receptor: Implications for Axon Regeneration," Neuron 30:11-14 (2001).	
	BN	Ng, C.E. and B.L. Tang., "Nogos and the Nogo-66 Receptor: Factors inhibiting CNS neuron regeneration," J. Neurosci Res 67(5):559-565 (2002).	
	BO	GrandPrè, T., et al., "Nogo-66 Receptor Antagonist Peptide Promotes Axonal Regeneration," Nature Vol 417 (30 May 2002)	

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